

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dorothy French, et al.
Filing Date: December 3, 2004
Serial No.: 10/516,868

Confirmation No.: 1564
Examiner: K.T. Hiriyan
Group Art Unit: 1633
Customer No. 09157

Title: **SCREENING METHOD**

TERMINAL DISCLAIMER

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your petitioner, Genentech, Inc., having a place of business at 1 DNA Way, South San Francisco, California 94080-4990 in the county of San Mateo has reviewed the evidentiary documents set forth herein below and certifies to the best of Genentech's knowledge and belief that title in and to the herein application and in the referenced U.S. Patent Application No. 11/556,803 reside in Genentech, Inc.

Your petitioner, Genentech, Inc., represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application No. 10/516,868 filed December 3, 2004 by virtue of an assignment.

Your petitioner hereby disclaims the terminal part of any patent granted on the herein U.S. Patent Application No. 10/516,868 that would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of said U.S. Patent Application No. 11/556,803 and hereby agrees that any patent so granted on the herein application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Application No. 11/556,803 this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent Application No. 11/556,803 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above. Petitioner reserves the right to extend the

shortened term of any patent granted on the above-identified application due to regulatory delays pursuant to 35 U.S.C. §156.

The undersigned is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The Commissioner is authorized to charge the statutory fee of \$130 required for filing this Disclaimer to Deposit Account No. 07-0630. Please charge any deficiency or credit any overpayment to Account 07-0630.

Respectfully submitted,

GENENTECH, INC.

Date: Aug 30, 2007

By: Cara Coburn
Cara M. Coburn
Reg. No. 46,631
Telephone No. (650) 467-6222